

REM Association Services, which offers management services to several nonprofit associations, submits this comment to publicly state our opposition to the FCC's recent actions that implement the Telephone Consumer Protection Act of 1991.

We believe the FCC's decision to eliminate the "Established Business Relationship" provision pertaining to marketing to association members is inappropriate. This amendment will place onerous administrative and economic burdens on associations by requiring "expressed written consent" from our own members prior to sending a fax marketing an association activity/event/service that has a fee. We believe this requirement unfairly restricts legitimate association activity.

Many associations rely on faxes as a source of communication and marketing to meet the needs of their members--communication that would be severely restricted under this new regulation. For example, associations could not fax a membership application or meeting registration form to someone who called and asked for such information by fax. Instead, we would have to send the caller a consent form by mail; after the member or prospective member returns the form we could then legally fax the requested information. The transaction would have been delayed by a week or more and we would have created much more paperwork that should be necessary.

This new rule is detrimental to the business conducted by nonprofit associations and creates an expensive, unnecessary regulatory burden. Therefore, we urge the FCC to revise it and to exempt all communications by nonprofit associations that are related to the organization's exempt purpose.